

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

ESTATE OF CINDY LOU HILL, by and through its personal representative, Joseph A. Grube,

Plaintiff,

v.

NAPHCARE, INC, an Alabama corporation; and SPOKANE COUNTY, a political subdivision of the State of Washington,

Defendants.

Case No. 2:20-CV-0410-MKD

CIVIL MINUTES

DATE: 7/14/2022

LOCATION: Spokane

JURY TRIAL - DAY FOUR

JUDGE MARY K. DIMKE			
Linda Hansen Courtroom Deputy	LC 02 Law Clerk	Interpreter	Crystal Hicks Court Reporter
Edwin S Budge and Hank L Balson		John E Justice for Def Spokane County Erin Ehlert, Ketia Wick and Christopher Quirk for Def Naphcare	
Plaintiff's Counsel		Defense Counsel	
<input checked="" type="checkbox"/> Open Court			<input type="checkbox"/> Chambers
<input type="checkbox"/> Video-Conference			

8:00 am **All parties present**
w/o jury panel

Ms. Ehlert and the Court discussed redaction of Exhibits 9-11.

The Court and counsel discussed the witness schedule for Monday. Once evidence is concluded a jury instruction conference will be held.

The Court and counsel discussed exhibits. The Court clarified with counsel that the only exhibits that will go back to the jury are exhibits that have been discussed with a witness in court.

Recess: **8:09 am**
Reconvened: **8:26 am**
All parties present
w/o jury

Page - 2

Hill v. Naphcare

Jury Trial

The Court confirmed that the Declaration of Connie Young was testimony and will not go back to the Jury.

8:30 am Jury brought into open court

All parties present

w/ jury

Alfred Joshua, MD sworn to testify – appearing via video conference

Direct examination by Ketia Wick

Exhibits 134, 135, 1, 2, 4, 3, 6 discussed with the witness.

Ms. Wick presented Pre-Admitted Exhibit 135 (Providence Sacred Heart Medical Center Records for Cindy Lou Hill).

Ms. Wick presented Pre-Admitted Exhibit 1 (NaphCare receiving screening of Cindy Hill (8/21/18)).

Ms. Wick presented Pre-Admitted Exhibit 2 (NaphCare initial assessment of Cindy Hill (8/21/18))

10:14 am Jury excused from open court

All parties present

w/o jury

The Court and counsel discuss reference to language in an exhibit that was previously excluded by the Court.

10:30 am Reconvened

All parties present

w/o jury

Ed Budge advised that the parties have discussed the excluded language and will further redact the exhibit before it goes back to the jury. The parties do not want the Court to instruct the Jury.

The Court and Counsel discuss anticipated testimony of Dr. Joshua.

10:45 am Jury brought into open court

All parties present

w/ jury

Alfred Joshua, MD, continued examination, previously sworn to testify – appearing via video conference

Continued direct examination by Ms. Wick

10:49 am Cross examination by Ed Budge

Exhibit 4, 3 discussed with the witness.

Page - 3

Hill v. Naphcare

Jury Trial

11:05 am Jury excused from open court

All parties present

w/o jury

The Court and counsel discussed providing exhibits/materials to the witness.

11:10 am Jury brought into open court

All parties present

w/ jury

Continued cross examination by Mr. Budge.

11:45 am Redirect examination by Ms. Wick

Witness is excused.

Recessed: 11:51 pm

Reconvened: 12:56 pm

All parties present

w/ jury

Jeffrey Alvarez, MD, CMO Naphcare, sworn to testify

Direct examination by Erin Ehlert

Exhibits 9, 10, 11 discussed with the witness.

Ms. Ehlert presented Pre-Admitted Exhibit 9 (NaphCare death summaries regarding Cindy Hill)

Ms. Ehlert presented Pre-Admitted Exhibit 10 (NaphCare M&M Committee minutes (10/15/18))

Ms. Ehlert presented Pre-Admitted Exhibit 11 (NaphCare M&M Committee minutes (1/14/19))

1:54 pm Cross examination by Ed Budge

Exhibit 11, 18 discussed with the witness

Witness steps down and is excused

The Court admonished the Jury and directed them to return for continuation of the trial on Monday, July 18, 2022 at 8:30 a.m.

2:17 pm Jury excused from open Court

All parties present

w/o jury

Page - 4

Hill v. Naphcare

Jury Trial

The Court advised counsel to be in the courtroom by 8:00 a.m. on Monday, July 18, 2022 if any matters need to be addressed by the Court they shall be taken up before the Jury comes in 8:30 a.m.

Adjourned: 2:17 pm

CONVENED:	8:00 AM	RECESSED:	8:09 AM	TIME:	9 MINS	TOTAL: 4 HRS / 24 MINS
RECONVENED:	8:26 AM	RECESSED:	10:14 AM		1 HR / 48 MINS	
RECONVENED:	10:45 AM	RECESSED:	11:51 PM		1 HR / 6 MINS	
RECONVENED:	12:56 PM	ADJOURNED:	2:17 PM		1 HR / 21 MINS	